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February 10, 2020

By ECF

Honorable Stewart D. Aaron
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Bento v. New York City Dep't of Citywide Admin. Servs.
19 Civ. 5003 (LTS) (SDA)

Dear Judge Aaron:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Acting Corporation Counsel for the City of New York, attorney for defendant New York City Department of Citywide Administrative Services (“DCAS”) in the above-referenced action. Defendant respectfully submits this request to stay discovery and adjourn the Initial Pretrial Conference presently scheduled for February 19, 2020 *sine die*, until defendant’s pending dispositive motion to dismiss the Complaint is decided. This is the parties’ first request for a stay of discovery, and second request for an adjournment of the conference. The adjournment does not affect any other scheduled dates. Plaintiff consents to these requests.

On August 23, 2019, defendant filed its motion to dismiss the complaint in its entirety (Dkt. Nos. 11-13). On September 4, 2019, defendant filed a letter with the Court requesting, with plaintiff’s consent, that the initial conference then-scheduled for September 19, 2019, be adjourned until such time as defendant’s motion to dismiss is decided (Dkt. No. 14). On September 5, 2019, this Court granted the parties’ request, and adjourned the initial conference until February 19, 2020 (Dkt. No. 15). Defendant’s motion to dismiss is fully submitted and *sub judice* as of October 16, 2019.

The parties agree that judicial economy and efficiency will be best served by adjourning the conference and staying discovery until such time as defendant’s pending dispositive motion to dismiss is decided, given that, should defendant’s motion be successful, there will be no need for discovery in this case.

Accordingly, defendant, with plaintiff’s consent, respectfully requests that the Court adjourn the February 19, 2020 initial conference and stay discovery *sine die* until such time as defendant’s pending motion to dismiss is decided.

Thank you for your consideration of this request.

HONORABLE STEWART D. AARON

United States Magistrate Judge

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Respectfully submitted,

/s/ Leo T. Ernst

Leo T. Ernst

Assistant Corporation Counsel

cc: Ballon Stoll Bader & Nadler, P.C.
(By ECF)

Application GRANTED IN PART. The Initial Pretrial Conference scheduled for February 19, 2020 is adjourned until Tuesday, April 28, 2020 at 11:00 a.m. in Courtroom 11C. SO ORDERED.

Dated: February 11, 2020

Att'd an